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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,785	07/09/2003	Kazumasa Kakuta	1080.1127	8574
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER SHRESTHA, BIJENDRA K	
			ART UNIT	PAPER NUMBER
			3691	
			MAIL DATE	DELIVERY MODE
			11/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/614,785

Applicant(s)

KAKUTA, KAZUMASA

Examiner

Bijendra K. Shrestha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). -In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/09/2003
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application PCT/JP01/00300 filed on 01/18/2001. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hughes et al., U.S. Patent No. 5,336,870 (reference A in attached PTO-892).

4. As per claim 1, Hughes et al. teach an instantaneous settlement apparatus having:

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a card reading section reading information recorded in a debit card owned by a customer and associated with a bank account of the customer (see Fig. 1 and 2; Magnetic Card Reader Slot (54); column 2, lines 11-14, line 66; column 3, lines 26-30);

a customer operation section inputting customer authentication information according to an operation of a customer (see Fig 2, Keyboard (14); Fig. 5A, step 160; Fig. 5B, step 176);

an amount input section inputting a sales amount (see Fig. 2, Terminal display (12); Fig. 5A, step 168);

a receipt output section printing to output a receipt showing the sales amount (see Fig. 2, Printer (56); Fig. 6); and

a communication section performing communication with the outside, settlement of a transaction being performed via the communication section (see Fig. 3, Debit Network Interface (92)), characterized in that:

the communication section performs an inquiry of an account balance of the customer to receive account balance information (see Fig. 5B, step 182; column 6, lines 55-58); and

the apparatus comprises a balance output section outputting and account balance based upon the account balance information received by the communication section (see Fig. 5B, step 186; column 6, line 59).

5. As per claim 2, Hughes et al. teach claim 1 as described above. Hughes et al. further teach the apparatus characterized in that

the apparatus further comprises a balance inquiry operation section

instructing inquiry of an account balance according to an operation is provided (see Fig. 1, Send (24); column 6, lines 52-56), and the communication section performs inquiry of an account balance according to an operation of the balance inquiry operation section (see Fig. 3, Debit Network Interface (92); column 3, lines 50-59; column 6, lines 56-59).

6. As per claim 3, Hughes et al. teach claim 1 as described above. Hughes et al. further teach the apparatus characterized in that

the balance inquiry operation section is provided integrally with the customer operation section and instructs inquiry of an account balance according to an operation of a customer (see Fig. 1, Send (24); column 6, lines 52-59).

7. As per claim 4, Hughes et al. teach claim 1 as described above. Hughes et al. further teach the apparatus characterized in that

the balance output section is a display section which is provided integrally with the customer operation section and displays to output an account balance (see Fig. 1, Display (12); Fig. 5B, step 186 and 188; column 6, lines 58-63).

8. As per claim 5, 6 and 7, Hughes et al. teach claim 1 as described above. Hughes et al. further teach the apparatus characterized in that

the receipt output section serves also as the balance output section (see Fig. 4; Printer (138) and Display (126); Fig. 5A, step 174 (receipt output); Fig. 5B, steps 186 and 188); and

the receipt output section prints to output a receipt showing an account balance together with a sales amount (see Fig. 6; column 6, lines 64-68 to column 7, lines 1-9;

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where the authorization number card issuing authority or bank for debit card enables to track account balance as explained in step 186 of Fig. 5B; the Examiner interprets that existing system is also capable to print the account balance and sales amount together in a receipt in the specified format, if needed, as all required information have already been logged into the transaction log).

9. As per claim 8, Hughes et al. teach an instantaneous settlement apparatus having:

- a card reading section reading information recorded in a debit card owned by a customer and associated with a bank account of the customer (see Fig. 1 and 2; Magnetic Card Reader Slot (54); column 2, lines 11-14, line 66; column 3, lines 26-30);

- a customer operation section inputting customer authentication information according to an operation of the customer (see Fig 2, Keyboard (14); Fig. 5A, step 160; Fig. 5B, step 176);

- an amount input section inputting a sales amount (see Fig. 2, Terminal display (12); Fig. 5A, step 168);

- a receipt output section printing to output a receipt showing the sales amount (see Fig. 2, Printer (56); Fig. 6); and

- a communication section performing communication with the outside, settlement of a transaction being performed via the communication section (see Fig. 3, Debit Network Interface (92)), characterized by comprising:

- a balance inquiry operation section instructing inquiry of an account

balance according to an operation (see Fig. 5B, step 182; column 6, lines 55-58);  
and

a balance output section outputting an account balance based upon  
account balance information obtained by performing inquiry of an account  
balance (see Fig. 5B, step 186; column 6, line 59).

10. As per claim 9 and 16, Hughes et al. teach an instantaneous settlement  
apparatus having:

a card reading section reading information recorded in a debit card owned by a  
customer and associated with a bank account of the customer (see Fig. 1 and 2;  
Magnetic Card Reader Slot (54); column 2, lines 11-14, line 66; column 3, lines 26-30);

a customer operation section inputting customer authentication information  
according to an operation of the customer (see Fig 2, Keyboard (14); Fig. 5A, step 160;  
Fig. 5B, step 176);

an amount input section inputting a sales amount (see Fig. 2, Terminal display  
(12); Fig. 5A, step 168);

a receipt output section printing to output a receipt showing the sales amount  
(see Fig. 2, Printer (56); Fig. 6); and

a communication section performing communication with the outside, settlement  
of a transaction being performed via the communication section (see Fig. 3; column 7,  
lines 66-68; Fig. 9, step 238) characterized in that:

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the communication section performs an inquiry of an account transaction history of the customer to receive account transaction history information (see Fig. 9, step 232; column 8, lines 1-3; column 12, lines 25-27); and

the apparatus comprises a history output section outputting an account transaction history based upon the account transaction history information received by the communication section (see column 8, lines 3-9; column 12, lines 29-39).

11. As per claim 10, Hughes et al. teach claim 9 as described above. Hughes et al. further teach the apparatus characterized in that

the apparatus further comprises a history inquiry operation section instructing inquiry of an account transaction history according to an operation see Fig. 9, step 232; column 8, lines 1-3), and

the communication section performs inquiry of an account transaction history according to an operation of the history inquiry operation section(see Fig. 9, step 234, column 8, lines 3-9).

12. As per claim 11, Hughes et al. teach claim 10 as described above. Hughes et al. further teach the apparatus characterized in that

the history inquiry operation section is provided integrally with the history operation section and instructs inquiry of an account balance according to an operation of a customer (see Fig. 9, step 242).

13. As per claim 12, Hughes et al. teach claim 9 as described above. Hughes et al. further teach the apparatus characterized in that



the history output section is a display section which is provided integrally with the customer operation section and displays to output an account transaction history (see Fig. 1, Display (12); Fig. 4; Printer (138) and Display (126); column 8, lines 3-6).

14. As per claim 13, 14 and 15, Hughes et al. teach claim 9 as described above.

Hughes et al. further teach the apparatus characterized in that

the receipt output section serves also as the history output section and the receipt output section prints to output a receipt showing an account transaction history together with a sales amount (see Fig. 1, Display (12); Fig. 4; Printer (138) and Display (126); Fig. 10); the Examiner interprets that existing system is also capable to print the transaction history and sales amount together in a receipt in the specified format, if needed, as all required information have already been logged into the transaction log).

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. The following are pertinent to current invention, though not relied upon:

Barrameda et al.(U.S. Patent No. 6,216,115) teach method for multi-directional consumer purchasing, selling, and transaction management.

Hayashida (U.S. Patent No. 5,644,118) teaches electronic cashless system.

Horgan (U.S. Pub No. 2002/0022966) teaches method and system for ubiquitous enablement of electronic currency.

Johnston (U.S. Pub No. 2002/0016767) teaches automated bill paying system.

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Reeder (U.S. Patent No. 6,014,636) teaches point of sale method and system.

Stoutenburg et al. (U.S. Patent No. 6,829,588) teach electronic payroll system & method.

Warren et al (U.S. Patent No. 7,090,122) teach check writing and cash dispensing automated banking machine system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)270-1374. The examiner can normally be reached on 7:00 AM-4:30 PM (Monday-Friday); 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

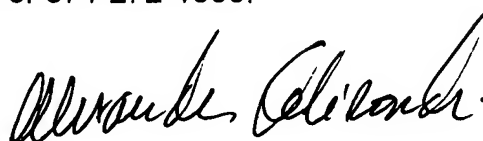
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Alexander Kalinowski". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

BKS/3691

ALEXANDER KALINOWSKI  
SUPERVISORY PATENT EXAMINER